

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

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U.S. DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

DIRECTV, INC.,

:

Plaintiff,

:

Case No. 3:03cv00425

:

vs.

:

District Judge Walter Herbert Rice

Magistrate Judge Sharon L. Ovington

CHUCK DO,

:

Defendant.

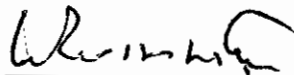
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DECISION AND ENTRY ADOPTING REPORT AND RECOMMENDATIONS FILED ON DECEMBER 30, 2005 (Doc. #10); PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT (Doc. #5) IS GRANTED IN PART, AND DEFAULT JUDGMENT IS ENTERED IN FAVOR OF PLAINTIFF AND AGAINST DEFENDANT CHUCK DO; DEFENDANT CHUCK DO IS ORDERED TO PAY PLAINTIFF'S REASONABLE ATTORNEY FEES AND COSTS IN THE AMOUNT OF \$500.50; PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT (Doc. #5) IS DENIED IN PART WITHOUT PREJUDICE PENDING LIMITED DISCOVERY ANALOGOUS TO A CREDITOR'S EXAMINATION; PLAINTIFF SHALL COMPLETE THIS LIMITED DISCOVERY BY MARCH 3, 2006 AND SHALL FILE A MOTION, IF ANY, DIRECTED TO DAMAGES BY MARCH 30, 2006

The Court has conducted a de novo review of the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #10), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendations.

It is therefore **ORDERED** that:

1. The Report and Recommendations filed on December 30, 2005 (Doc. #10) is ADOPTED in full;
2. Plaintiff DIRECTV, Inc.'s Motion for Default Judgment (Doc. #5) is GRANTED in part and Default Judgment is entered in favor of Plaintiff DIRECTV, Inc. and against Defendant Chuck Do under Fed. R. Civ. P. 55(b)(2);
3. Defendant Chuck Do is ordered to pay DIRECTV's reasonable attorney fees and costs in the amount of \$500.50;
4. Plaintiff DIRECTV's Motion for Default Judgment (Doc. #5) is DENIED in part without prejudice pending limited discovery analogous to a creditor's examination;
5. Plaintiff shall complete limited discovery on the issue of damages by **March 3, 2006**;
6. Plaintiff shall file a Motion, if any, directed to damages by **March 30, 2006**; and
7. If Plaintiff files a Motion directed to damages, Defendant shall file his Memorandum in Opposition, if any, within twenty-one days after service of Plaintiff's Motion.



Walter Herbert Rice
United States District Judge